

**From:** Clark Christensen  
**To:** Microsoft ATR  
**Date:** 1/23/02 11:34am  
**Subject:** Microsoft Settlement

I do not support the current settlement to the Microsoft Anti-Trust suit.

The current settlement does not guarantee interoperability or published protocols, nor does it prohibit Microsoft from violating the Anti-Trust tenet that an existing monopoly cannot be leveraged to create another monopoly in an adjacent market. Under the current settlement Microsoft is protected from divulging Intellectual Property. This will protect them from having to reveal protocols and interfaces to services that use their technology. Anyone who wants access will have to license the technology, and effectively allowing Microsoft to determine the type of competition it will have to face. Since Open Source alternatives, which Microsoft fears as its greatest competitor, have no budget for licenses they can essentially eliminate this competition through exclusive/expensive licenses. Furthermore, any ability by Microsoft to require such licenses will preclude any Open Source alternatives since the licensee will not be permitted to divulge any of the Intellectual Property (i.e. the code)--the very anti-thesis of Open Source.

The new MSN browser and passport services shipped with Windows XP (a separate browser from Explorer) illustrates exactly how Microsoft hopes to create a new vertical monopoly by leveraging their current operating system monopoly. With .NET, users will be forced to Microsoft's software or proprietary software that licenses Microsoft's technologies to access any of their services. Vendors may thus be bullied into using Microsoft technologies for fear of losing market share, and desktop users who use any of these tied in services will have little choice but to continue with Windows on the desktop.

These issues must be addressed in order to keep the computing market competitive. The internet thrived because of openness, let's keep it thriving.

Sincerely,

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